

JEFFERSON COUNTY COMMISSIONERS  
COURTHOUSE, BOX H  
BOULDER, MT 59632  
PHONE 406-225-4025  
FAX 406-225-4148

TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
May 23, 2006**

**Present:** Commissioners Lythgoe, Notbohm and Weber; Bill Lloyd, Great West Engineering; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Ron Pearson, Celia Wolny

**MINUTES**

Commissioner Weber moved to approve the minutes of April 25. Commissioner Notbohm seconded. The motion carried.

Commissioner Weber moved to approve the minutes of May 16. Commissioner Lythgoe seconded. The motion carried.

**CALENDAR REVIEW**

- 5/24 Meeting with Forest Service - Butte - 10:00  
Jefferson River Watershed - Whitehall - 7:00
- 5/25 Meeting re: 21 Century Program - 9:00  
MTAG - 7:00
- 5/29 Holiday - County offices closed

**COMMISSION REPORTS**

**LABOR HEARING**

Commissioner Lythgoe reported that all day Thursday a Department of Labor judge was here to hear testimony regarding if Marilyn Greeley was/is a member of the union. There are still several more to testify, but that testimony will not be heard until July.

**HEALTH BOARD**

Commissioner Lythgoe reported on the Health Board meeting held Thursday night. Everything is going well. There was discussion regarding the use of the Health Department vehicle. This issue is still not totally resolved. They also discussed budgeting money through the Health Board to fund another vehicle and give Megan the nurse's vehicle. The vehicle that Megan

currently uses is getting very old, and Commissioner Lythgoe noted that she really needs a vehicle with 4-wheel/all-wheel drive.

### JLDC

Commissioner Lythgoe reported that he was able to briefly attend a JLDC meeting that morning, before leaving to attend another meeting. Consultants were in regarding the business park in Whitehall. They are getting very close to final plat. Commissioner Notbohm asked if they have a lease yet. Commissioner Lythgoe stated that he doesn't know, but this is a condition for final plat approval.

### CTAC

Commissioner Weber reported that the CTAC team is trying to put together a meeting with the new management of Golden Sunlight. He is trying to contact DEQ regarding remote ore processing. Also, the Jefferson River Watershed group is requesting money from Golden Sunlight for the Parson Slough project. This is prime trout habitat. The Commission will be asked for a letter of support for the project.

### CORRESPONDENCE

Matt Johnson, County Attorney, sent a letter requesting that the Commission appoint Steve Shapiro as special deputy county attorney due to his heavy case load and a conflict of interest. Commissioner Weber moved to appoint Steve Shapiro as special deputy county attorney. Commissioner Lythgoe seconded. The motion carried, with Commissioners Lythgoe and Weber voting aye and Commissioner Notbohm voting nay.

A memo was received from the Clerk and Recorder certifying that 53 ballots had been received regarding changing health insurance companies. 50 ballots were in favor of changing and 3 were against. This item is on the May 30 agenda for an official decision by the Commission.

### ITEMS FOR COMMISSIONERS ACTION OR REVIEW

#### DISCUSS AND DECIDE ON LEASE AGREEMENT WITH BOYD ANDREW

Commissioner Lythgoe stated that the lease is not yet ready, and will be on the agenda the following week.

Celia Wolny said that she had a couple questions, and asked how many beds they are planning. It is currently blank in the lease. Commissioner Lythgoe stated that he is not sure at this time. Celia stated that the lease references a landscape diagram, and asked if that were available to view. Commissioner Lythgoe stated that he can't imagine that this would be part of the lease. However, Mike Ruppert was currently in the County Attorney's office discussing the lease, and he suggested that she talk to him about it. Celia asked about water and sewer, since they are out of the city limits. Commissioner Lythgoe stated that the Commission has not had any conversations with the city, but Mike has been working through things with them. Commissioner Weber stated that the city does have the ability to provide water and sewer, and they may or may not annex this property into the city limits.

## DISCUSS NORTH JEFFERSON COUNTY INFRASTRUCTURE PLAN AND RID

Bill Lloyd of Great West Engineering stated that he doesn't have a lot of new information. The comment period is open for one more week. MDT had no comment, other than they are pleased with the study. The Commission's comments have been incorporated. Commissioner Lythgoe stated that he has not been able to tie anyone down regarding Lime Kiln yet. He did get the GEO codes to Jeremiah. Bill stated that they haven't gotten the costs for improvements in Jack Mountain; he is waiting to get this from the contractor.

Commissioner Weber asked Bill if he has spoken with Mae Nan. Bill stated that he hasn't spoken with her recently. He needs to get all of the information together and then with Mae Nan to put together the financial information. After this is done, they can have the public meeting. Commissioner Lythgoe asked for a time frame. Bill stated that it would be four to six weeks. Commissioner Lythgoe asked if this is more complex than other projects that Mae Nan has worked on. Bill stated that it is different.

Bill then reviewed the project to date. RID #1 will include all those parcels that access South Hills Road, South Hills Drive and Holmes Gulch, along with Martinez Gulch, Tiger Gulch and Ponderosa. There will be hard surface improvements to South Hills Road, South Hills Drive and to Holmes Gulch between Colonial Drive and South Hills. Commissioner Lythgoe asked why they are not looking at improving Holmes Gulch south to the Bompert property. Bill stated that this is difficult to answer. Based on the conversations in the past, improvements were not anticipated in that area due to low traffic volume. Commissioner Lythgoe stated that there is more traffic on that road than on Martinez or Ponderosa; this section needs to be added. Bill stated that this could be a problem; he will have to talk to Mae Nan. His impression is that it will have to be assessed separately. Commissioner Lythgoe stated that this is so similar to what they are doing on all the roads that lead to South Hills. He feels that it can be done, but he agrees that it is a Mae Nan question. Commissioner Weber stated that he can see that people use the lower part of Holmes Gulch to get to Colonial, whereas the upper part is just used to access people's homes. Commissioner Lythgoe suggested that maybe those gravel roads should be dealt with in the RMD. The County can take responsibility then make improvements and bring up to county standards over a period of time. This would avoid a time crunch.

Commissioner Notbohm said that there are several people who live in Lewis and Clark County who access South Hills, and asked if they will be part of the RID. Bill said that they can't be assessed without their county's approval. Commissioner Lythgoe stated that they definitely can't have a cross-county RID. However, they can get an encroachment permit to improve the road, noting that it doesn't make sense to pave half of the road. Ron noted that the Lime Kiln RID has participants in both Lewis and Clark and Jefferson Counties. Commissioner Lythgoe stated that the law has changed since then.

RID #2 includes all parcels accessing Jackson Creek Road and south of Jackson Creek Road - Arrowhead, Clark Creek Loop, Lana Lane, Stacia, Moonlight Ridge and Jack Mountain subdivision. Bill asked if this sounds right. Commissioner Weber asked if Quarry was ever decided on. Bill state not to the best of his knowledge. Commissioner Lythgoe stated that he can understand Ben's reluctance to improving Quarry from Jackson Creek to Doolittle's place. Ron stated that the road has been improved from South Hills to Doolittle's by Doolittle, Wayne

Allen and himself at their own expense. Technically, this is a county road all the way to the fire station. He has pleaded with Ash Grove and the County to at least put a blade to the road. For emergency services concerns, they can shave a lot of time off of their response time if they are able to use the road. Commissioner Weber stated that a sticky point for him is the live between RID #1 and RID #2. Most of the residents are in RID #1, but the road goes into RID #2. He asked if they need to address this in the RIDs or if it can be improved in the RMD.

Commissioner Lythgoe stated that he has a problem with adding this road, as close as 282 is. Ron stated that a phenomenal amount of cars are on that road. Since it has been upgraded somewhat, people fly. He prefers the road to be in worse shape to cut traffic, but from an emergency response standpoint, he would like to see it improved. Commissioner Lythgoe stated that he is not so sure that he would recommend improving Quarry all the way to Jackson Creek; there is nothing there. If Colonial Drive wasn't where it is, maybe he wouldn't have a problem with including Quarry from Doolittle's down to Meadowlark as part of RID #1.

Ron Pearson stated that he has been paying his taxes with no benefits. Now the County wants to assess a special fee for improving the roads. Commissioner Notbohm stated that they need to do this very specifically. Commissioner Weber stated that the intention of the Commission is to make this program available county-wide. The north end was chosen to do first because there are some major issues there. Also, people will be able, for about what they are currently paying in homeowner's association dues, to get some real service. Commissioner Lythgoe stated that number one, life is not fair, and two, if Ron looks at what he is paying in road taxes, it is probably less than \$50 a year.

## **PUBLIC COMMENT**

Bill Lloyd stated that the Community Development Block Grant (CDBG) program has an economic development pot of money that the County would be able to use for study in other parts of the county. He has spoken with Tara, and she is in favor of pursuing the money. Commissioner Lythgoe stated that he is also interested. Commissioner Notbohm asked what area of the County he is looking at. Commissioner Lythgoe stated that this would be similar to phase 2 of the current infrastructure project. They have learned a lot during this project, so the next one should go a lot more smoothly. Commissioner Weber noted that the money is not tied to MDT. Bill stated that with the reliance of the County on logging, etc., it would be a good stance for economic development. The money is given on a first-come, first-served basis, and the money is available until it is gone. Commissioner Lythgoe stated that the Commission has committed to making improvements to roads in the rest of the county; if funds are available, they need to seek the grant. Bill noted that there is a 50/50 match, but that money can be stretched because of the groundwork already laid with the north end project.

## **MEETING ADJOURNED**

## **ATTEST:**

**BONNIE RAMEY  
CLERK AND RECORDER**

**TOMAS E. LYTHGOE, CHAIR**

---

**CHUCK NOTBOHM, COMMISSIONER**

---

**KEN WEBER, COMMISSIONER**